

**Kansas Department of Agriculture**  
**Division of Food Safety and Lodging**  
 1320 Research Park Drive, Manhattan, KS 66502  
 (office) 785-564-6767 (fax) 785-564-6779

**KANSAS FOOD ESTABLISHMENT INSPECTION REPORT**

**Insp Date:** 7/16/2015      **Business ID:** 103928FE  
**Business:** FIRST WATCH

7305 W 95TH  
 OVERLAND PARK, KS 66212

**Inspection:** 16000332  
**Store ID:**  
**Phone:** 9133832904  
**Inspector:** KDA16  
**Reason:** 03 Complaint  
**Results:** Follow-up

**Time In / Time Out**

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
07/16/15	09:23 AM	01:00 PM	3:37	0:15	3:52	0	
Total:			3:37	0:15	3:52	0	

**FOOD ESTABLISHMENT PROFILE**

Insp. Notification Email Sent Notification To \_\_\_\_\_ Lic. Insp. No

Priority(P) Violations 7 Priority foundation(Pf) Violations 4

Certified Manager on Staff .. Address Verified p Actual Sq. Ft. 0

Certified Manager Present ..

**INSPECTION INFORMATION**

Risk factors are improper practices or procedures identified as the most prevalent contributing factors of food-borne illness or injury. Public health interventions are control measures to prevent food-borne illness or injury.

Good Retail Practices are preventative measures to control the addition of pathogens, chemicals and physical objects into foods.

Violations cited in this report must be corrected within the time frames entered below, or as stated in sections 8-405.11 of the food code.

P=Priority Violation, Pf=Priority foundation violation, HACCP=Hazard Analysis-Critical Control Point, BHC=Bare Hand Contact, RTE=Ready to Eat, HSP=Highly Susceptible Population, K.S.A.=Kansas Statutes Annotated, All temperatures are measured in degrees Fahrenheit (°F).

IF YOU HAVE ANY QUESTIONS PLEASE VISIT [www.agriculture.ks.gov](http://www.agriculture.ks.gov), EMAIL [fsl@kda.ks.gov](mailto:fsl@kda.ks.gov), OR CALL (785) 564-6767.

COMPLIANCE KEY: Y=in compliance; N=not in compliance; O=not observed; A=not applicable; C=corrected on-site during inspection; R=repeat violation.

**FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS**

**Demonstration of Knowledge**

1. Certification by accredited program, compliance with Code, or correct responses.

Y N O A C R  
 .. .. .. p .. ..

**Employee Health**

2. Management awareness; policy present.

3. Proper use of reporting, restriction and exclusion.

Y N O A C R  
 p .. .. .. ..  
 p .. .. .. ..

**Good Hygienic Practices**

Y N O A C R

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Good Hygienic Practices		Y	N	O	A	C	R
	4. Proper eating, tasting, drinking, or tobacco use	p	..	..	..	..	..
	5. No discharge from eyes, nose and mouth.	p	..	..	..	..	..
Preventing Contamination by Hands		Y	N	O	A	C	R
	6. Hands clean and properly washed.	..	p	..	..	p	..
<i>Fail Notes</i>	<div style="border-left: 1px solid black; padding-left: 10px;"> <div style="display: flex; justify-content: space-between;"> <span>2-301.14(E)</span> <span><i>P - Wash Hands (Soiled Utensils) FOOD EMPLOYEES shall clean their hands and exposed portions of their arms as specified under § 2-301.12 immediately before engaging in FOOD preparation including working with exposed FOOD, clean EQUIPMENT and UTENSILS, and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES and after handling soiled EQUIPMENT or UTENSILS</i></span> </div> <div> <i>[Observed employee handle soiled utensils. She then reached to get a single serve "togo" box for a customer. COS Employee was educated, employee washed hands.</i>   <i>Observed 2 employees handle soiled utensils. Go to the handwashing sink and place their hand (1) under running water and dry their hands. Employees went over to handle clean utensils. COS PIC and employees was educated. Employee's washed their hands. ]</i> </div> </div>						
	7. No bare hand contact with RTE foods or approved alternate method properly followed.	p	..	..	..	..	..
	8. Adequate handwashing facilities supplied and accessible.	p	..	..	..	..	..
Approved Source		Y	N	O	A	C	R
	9. Food obtained from approved source.	p	..	..	..	..	..
	10. Food received at proper temperature.	..	..	p	..	..	..
	11. Food in good condition, safe and unadulterated.	..	..	p	..	..	..
	12. Required records available: shellstock tags, parasite destruction.	..	..	..	p	..	..
Protection from Contamination		Y	N	O	A	C	R
	13. Food separated and protected.	p	..	..	..	..	..
	14. Food-contact surfaces: cleaned and sanitized.	..	p	..	..	p	..
<i>Fail Notes</i>	<div style="border-left: 1px solid black; padding-left: 10px;"> <div style="display: flex; justify-content: space-between;"> <span>4-601.11(A)</span> <span><i>Pf - Food Contact Clean to Sight and Touch - EQUIPMENT FOOD-CONTACT SURFACES and UTENSILS shall be clean to sight and touch.</i></span> </div> <div> <i>[Plastic containers on the rack for clean utensils, had dried food debris on the exterior surface and stacked inside of clean plastic containers. COS Containers were removed by inspector, placed in the warewashing area to be washed, rinsed, and sanitized.]</i> </div> </div> <div style="border-left: 1px solid black; padding-left: 10px; margin-top: 10px;"> <div style="display: flex; justify-content: space-between;"> <span>4-602.11(C)</span> <span><i>P - PHF/TCS Food Contact Surface Cleaning Frequency (every 4 hours) If used with POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD), EQUIPMENT FOOD-CONTACT SURFACES and UTENSILS shall be cleaned throughout the day at least every 4 hours.</i></span> </div> <div> <i>[Above the egg station MT, were 20 (small and big) pans that have been since 8am. At 11:30am, the pan have not been sent to the dishwasher to be washed, rinsed, and sanitized. COS PIC was educated, pans were sent to the dishwasher.]</i> </div> </div>						
	15. Proper disposition of returned, previously served, reconditioned and unsafe food.	..	..	..	p	..	..
Potentially Hazardous Food Time/Temperature		Y	N	O	A	C	R
	16. Proper cooking time and temperatures.	..	..	p	..	..	..
	17. Proper reheating procedures for hot holding.	..	..	p	..	..	..
	18. Proper cooling time and temperatures.	..	..	p	..	..	..

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

## Potentially Hazardous Food Time/Temperature

19. Proper hot holding temperatures.

Y N O A C R  
p " " " " "

**This item has Notes. See Footnote 1 at end of questionnaire.**

20. Proper cold holding temperatures.

" p " " p "

**This item has Notes. See Footnote 2 at end of questionnaire.**

**Fail Notes** 3-501.16(A)(2) P - PHF/TCS Cold Holding - POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) shall be maintained at 5°C (41°F) or less.  
[At the egg station, quinoa 45F, egg wash (egg white) 47F, beaten eggs 49F, season chicken 50F, and raw shell eggs 53F (in the RIC) had temperatures above 41F. PIC said they were taken out of the WIC around 8am. Ambient temperature 54.1F. COS quinoa, egg wash, and beaten eggs were put on ice for rapid cooling. Chicken and raw shell eggs were put in the walk in freezer for rapid cooling.  
  
At the salad station, yogurt 50F, ham 57, diced tomatoes, and cut watermelon 53F had temperatures above 41F. PIC said they were taken out of the WIC around 8am. Ambient temperature 42F. COS yogurt, ham, tomatoes, and watermelon was put on ice for rapid cooling.  
  
At the grill station, pico de gallo 49 and chicken salad 54 had temperatures above 41F. PIC said they were taken out of the WIC around 8am. Ambient temperature 41.6. COS Pico de gallo and chicken salad was put on ice. ]

21. Proper date marking and disposition.

p " " " " "

22. Time as a public health control: procedures and record.

" " " p " "

## Consumer Advisory

23. Consumer advisory provided for raw or undercooked foods.

Y N O A C R  
" p " " " "

**Fail Notes** 3-603.11(C) Pf - Consumer Advisory for Raw or Undercooked Food (Reminder requirements) - REMINDER shall include asterisking the animal-derived FOODS requiring DISCLOSURE to a footnote that states: Regarding the safety of these items, written information is available upon request; Consuming raw or undercooked MEATS, POULTRY, seafood, shellfish, or EGGS may increase your RISK of foodborne illness; or, Consuming raw or undercooked MEATS, POULTRY, seafood, shellfish, or EGGS may increase your RISK of foodborne illness, especially if you have certain medical conditions.  
[The menu does not have reminder asterisks for the egg that are on the menu. ]

## Highly Susceptible Populations

24. Pasteurized foods used; prohibited foods not offered.

Y N O A C R  
p " " " " "

## Chemical

25. Food additives: approved and properly used.

Y N O A C R  
p " " " " "

26. Toxic substances properly identified, stored and used.

" p " " p "

**Fail Notes** 7-201.11(B) P - Chemical Storage (Not Above Food, etc.) POISONOUS OR TOXIC MATERIALS shall be stored so they cannot contaminate FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES by locating the POISONOUS OR TOXIC MATERIALS in an area that is not above FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE or SINGLE-USE ARTICLES.  
[Red sanitizer bucket was stored on a prep table above single serve "togo" bags and silverware. COS Sanitizer was placed on bottom shelf. ]

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Conformance with Approved Procedures	Y	N	O	A	C	R
27. Compliance with variance, specialized process and HACCP plan.	..	..	..	p	..	..

## GOOD RETAIL PRACTICES

Safe Food and Water	Y	N	O	A	C	R
28. Pasteurized eggs used where required.	p	..	..	..	..	..
29. Water and ice from approved source.	p	..	..	..	..	..
30. Variance obtained for specialized processing methods.	..	..	..	p	..	..

Food Temperature Control	Y	N	O	A	C	R
31. Proper cooling methods used; adequate equipment for temperature control.	..	p	..	..	..	..

*Fail Notes* | 4-301.11 Pf - Temperature Capacity - EQUIPMENT for cooling and heating FOOD, and holding cold and hot FOOD, shall be sufficient in number and capacity to provide FOOD temperatures as specified under Chapter 3.  
[The egg station cooler had a ambient temperature of 54.1F.]

32. Plant food properly cooked for hot holding.	..	..	p	..	..	..
33. Approved thawing methods used.	..	..	p	..	..	..
34. Thermometers provided and accurate.	p	..	..	..	..	..

Food Identification	Y	N	O	A	C	R
35. Food properly labeled; original container.	..	p	..	..	p	..

*Fail Notes* | 3-302.12 Food storage containers (Common Name) Except for containers holding FOOD that can be readily and unmistakably recognized such as dry pasta, working containers holding FOOD or FOOD ingredients that are removed from their original packages for use in the FOOD ESTABLISHMENT, such as cooking oils, flour, herbs, potato flakes, salt, spices, and sugar shall be identified with the common name of the FOOD.  
[Underneath the prep table, powder sugar did not have a label on the container. COS Container was labeled.]

Prevention of Food Contamination	Y	N	O	A	C	R
36. Insects, rodents and animals not present.	p	..	..	..	..	..
37. Contamination prevented during food preparation, storage and display.	p	..	..	..	..	..
38. Personal cleanliness.	p	..	..	..	..	..
39. Wiping cloths: properly used and stored.	p	..	..	..	..	..
<b><i>This item has Notes. See Footnote 3 at end of questionnaire.</i></b>						
40. Washing fruits and vegetables.	..	..	p	..	..	..

Proper Use of Utensils	Y	N	O	A	C	R
41. In-use utensils: properly stored.	p	..	..	..	..	..
42. Utensils, equipment and linens: properly stored, dried and handled.	p	..	..	..	..	..
43. Single-use and single-service articles: properly used.	p	..	..	..	..	..
44. Gloves used properly.	..	p	..	..	p	..

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Proper Use of Utensils	Y	N	O	A	C	R
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*Fail Notes*    3-304.15(A)    *P - If used, SINGLE-USE gloves shall be used for only one task such as working with READY-TO-EAT FOOD or with raw animal FOOD, used for no other purpose, and discarded when damaged or soiled, or when interruptions occur in the operation. [PIC was observed wearing single use gloves handling soiled utensils and then handle clean glass. COS PIC was educated. PIC washed hands and put on a new pair of gloves.]*

Utensils, Equipment and Vending	Y	N	O	A	C	R
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45a. Food and non-food contact surfaces cleanable, properly designed, constructed and used-  
P and Pf items    ..    p    ..    ..    p    ..

*Fail Notes*    4-202.11(A)(2)    *Pf - FCS (Imperfections) Multiuse FOOD-CONTACT SURFACES shall be free of breaks, open seams, cracks, chips, inclusions, pits, and similar imperfections. [Plastic lids that were stored as clean had cracks. COS PIC discarded lids.]*

45b. Food and non-food contact surfaces cleanable, properly designed, constructed and used-  
Core items    p    ..    ..    ..    ..    ..

46. Warewashing facilities: installed, maintained, and used; test strips.    p    ..    ..    ..    ..    ..

***This item has Notes. See Footnote 4 at end of questionnaire.***

47. Non-food contact surfaces clean.    p    ..    ..    ..    ..    ..

Physical Facilities	Y	N	O	A	C	R
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48. Hot and cold water available; adequate pressure.    p    ..    ..    ..    ..    ..

49. Plumbing installed; proper backflow devices.    ..    p    ..    ..    ..    ..

*Fail Notes*    5-203.14    *P - A PLUMBING SYSTEM shall be installed to preclude backflow of a solid, liquid, or gas contaminant into the water supply system at each point of use at the FOOD ESTABLISHMENT, including on a hose bibb if a hose is attached or on a hose bibb if a hose is not attached and backflow prevention is required by LAW, by: Providing an air gap as specified under § 5-202.13; or, Installing an APPROVED backflow prevention device as specified under § 5-202.14. [At the mop sink, attached to the faucet was a shut off valve downstream, AVB with hose. The attached hose was below the flood line. ]*

5-203.15    *P - If not provided with an air gap as specified under § 5-202.13, a dual check valve with an intermediate vent preceded by a screen of not less than 100 mesh to 25.4 mm (100 mesh to 1 inch) shall be installed upstream from a carbonating device and downstream from any copper in the water supply line. [1 carbonator fountain machine did not have a vented dual check valve, back flow prevention device.]*

50. Sewage and waste water properly disposed.    p    ..    ..    ..    ..    ..

51. Toilet facilities: properly constructed, supplied and cleaned.    p    ..    ..    ..    ..    ..

52. Garbage and refuse properly disposed; facilities maintained.    p    ..    ..    ..    ..    ..

53. Physical facilities installed, maintained and clean.    p    ..    ..    ..    ..    ..

54. Adequate ventilation and lighting; designated areas used.    p    ..    ..    ..    ..    ..

Administrative/Other	Y	N	O	A	C	R
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55. Other violations    p    ..    ..    ..    ..    ..

EDUCATIONAL MATERIALS
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The following educational materials were provided    p

## KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

### EDUCATIONAL MATERIALS

<i>Material Distributed</i>	<i>Education Title #07</i>	<i>Corrective Actions</i>
	<i>Education Title #25</i>	<i>Handwashing</i>
	<i>Education Title #33</i>	<i>Refrigeration Temperature Log</i>

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

## **Footnote 1**

### **Notes:**

Hot Holding

Steam table

Sausage links 162F

Turkey sausage 157F

Sausage gray 189F

Tomato soup 192F

Black bean soup 192F

Salsa soup 177F

## **Footnote 2**

### **Notes:**

Cold Holding

On ice

Waffle batter 41F

Salad station RIC

Cut lettuce

WIC

Butter 41.2F

Batter 43F

Ham 42

## **Footnote 3**

### **Notes:**

Wiping cloths were stored in red sanitizer buckets in Quat solution, 200ppm.

## **Footnote 4**

### **Notes:**

Dishwashing machine (main floor) Chlorine test strips were available

Chlorine, 100ppm

## NOTICE OF NON COMPLIANCE WITH KANSAS LAW

**Insp Date:** 7/16/2015      **Business ID:** 103928FE  
**Business:** FIRST WATCH

7305 W 95TH  
OVERLAND PARK, KS 66212

**Inspection:** 16000332  
**Store ID:**  
**Phone:** 9133832904  
**Inspector:** KDA16  
**Reason:** 03 Complaint

### Time In / Time Out

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### NOTICE OF NON COMPLIANCE WITH KANSAS LAW

The Kansas Food, Drug and Cosmetic Act, effective July 1, 2012 includes K.S.A. 65-619 et seq. and regulations promulgated pursuant thereto and grants the Kansas Department of Agriculture the authority to regulate food establishments and food processing plants.

The Kansas Food, Drug and Cosmetic Act requires that all violations shall be corrected no later than 10 days after this inspection unless otherwise directed on this form.

Failure to comply with the food safety law and its regulations may result in embargo of non-compliant products; immediate closure of your establishment; civil penalties of up to \$1,000.00 per violation; denial of license renewal, modification, suspension and/or revocation of any license or authority issued pursuant to the food safety law; and/or any other penalty authorized by law. Pursuant to K.S.A. 65-619 et seq, licensees issued authority under the Kansas Food, Drug and Cosmetic Act may apply to the secretary for an extension of the time prescribed above.

PLEASE CALL (785) 296-5600 IF YOU HAVE ANY QUESTIONS.

Follow up Scheduled 07/26/15

Inspection Report Number 16000332

Inspection Report Date 07/16/15

Establishment Name FIRST WATCH

Physical Address 7305 W 95TH City OVERLAND PARK

Zip 66212

Additional Notes  
and Instructions

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